REMARKS

Applicants respectfully traverse and request reconsideration.

Applicants submit herewith Form PTO1449 as requested in the Office Action. Applicants respectfully request that the references previously submitted be reviewed and made of record.

The Specification has been objected to because the term "Brief Summary of the Invention" is omitted. Applicants respectfully submit that per 31 C.F.A. § 1.73, this section is permissive and is not required. The Examiner confirmed that this was a suggestion and that no correction is required.

Claims 1, 4-7, 10-13 and 17-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,115,057 ("Kwoh et al.") in view of U.S. Patent No. 5,973,683 ("Cragun et al.")

Kwoh et al. is directed to a device for blocking the playing of a program video segment and instead replaces the blocked video segment with text already embedded in the incoming stream, that attempts to describe the blocked scene if it is determined that the extracted rating data indicates that the program video segment has an unacceptable rating level. As cited by the examiner in Kwoh, Col. 9, ll. 5-15, the text information is embedded with the incoming video signal. Hence Kwoh discloses a device for substituting the display of the extracted text data representative of the content of the program video segment for the blocked program video segment. This device maintains control of rating levels while providing a means for the viewer to comprehend basic plot events of the censored program during the entire length of the program. The method disclosed by Kwoh requires a video signal that includes both video and corresponding descriptive text data. This method relies on a substitution of text data for blocked video data, and therefore does not require scrambling of video data. In fact, due to the embedded nature of video and text data, scrambling would result in a loss of text data and therefore render useless the substitution of text for video data in Kwoh's method. Applicants' respectfully submit that the Kwoh reference teaches away from any method of scrambling as a way to prevent viewing of video or programs.

With respect to Claim 1, steps a) and b), the Kwoh reference has been cited, inter alia, in Col. 3, line 53, to Col. 4, line 16, to show a method to either enable selected programs for viewing, or to block selected programs. Applicants claim, inter alia, a method and apparatus for controlling display of content signals and claim a method of scrambling at least a portion of the at least one of video, audio, and text content to produce scrambled content, and providing the scrambled content to a content rendering device when the at least one associated content control indicator compares unfavorably to the at least one content control setting. Kwoh teaches away from a method of scrambling video, audio, or text content as noted above. Accordingly, Claim 1 is believed to be allowable in view of Kwoh.

Cragun et al. is directed to a device for dynamic regulation of television viewing content based on viewer profile and viewing history. Cragun teaches a technique for keeping track of a quantity of time a viewer watches acceptable programming above a threshold user control setting and for controlling a television environment by scrambling television programs that fall below the user's threshold control settings, or if a user's time allotment has expired.

Combining the Kwoh and Cragun references renders Kwoh's invention inoperative. Kwoh discloses a device for blocking rated video segment data that is below the desired rating level entered by the user. Kwoh further discloses a device for substituting the display of the extracted text data representative of the content of the program video segment for the blocked program video segment. Cragun provides for a device for scrambling television programs that fall below the user's threshold control settings. Cragun's device scrambles all incoming video signal data, which includes both video and text data. Because Cragun's device scrambles text data along with video data, combining this device with Kwoh's method of substituting text data in place of video segment data would render Kwoh's device inoperative. Therefore the combination of references is improper, and the relevant claims are allowable.

As to Claim 4, the Office action cites Col. 12, line 63 to Col. 13, line 5; Col. 14, ll. 7-30; and Col. 14, line 66 to Col. 15, line 45 of Kwoh as disclosing a method of scrambling the text content and providing the scrambled closed captioned content to a display. Applicants are unable to find any teaching of signal scrambling in the cited portion of the Kwoh reference. Applicants also respectfully submit that the Examiner admits that Kwoh does not show the steps

of "c) scrambling at least a portion of the at least one of video, audio, and text content to produce scrambled content, and d) providing the scrambled content to a content rendering device." In view of Claim 1 above, the Kwoh reference does not teach any method of scrambling text data. Accordingly, Claim 4 is also believed to be allowable in view of the Kwoh reference.

With respect to Claim 5, the Kwoh reference has been cited, inter alia, in Col 1, line 65 to Col 2, line 2 that "the parent can specify a PG (parental guidance) rating as a desired rating level. Then any program video segments with a rating of PG-13, R, or X will be blocked from viewing; however, PG and G program video segments will be displayed." The Office Action includes the Examiner's explanation that copy restriction abilities are provided for by Kwoh by "disabling or blocking a program as unfavorable program is set to be restricted; or in other words, the viewer is prevented from copying the content signal". In fact, the device disclosed by Kwoh would not prevent copying because the viewer is not denied access to the content signal. For example, Kwoh discloses a device for substituting the display of the extracted text data representative of the content of the program video segment for the blocked program video segment. Therefore there is always either video or text data signals displayed on a video display device, but Kwoh does not disclose a method to prevent the copying of these signals. Accordingly Claim 5 is also believed to be allowable in view of the Kwoh reference.

With respect to claim 6, the Office Action cites Kwoh as disclosing, inter alia, "an audio scrambling signal to an audio processing module". Applicants respectfully reassert the relevant remarks with respect to Claim 1, specifically the fact that the Kwoh and Cragun references are not properly combinable. Accordingly Claim 6 is believed to be allowable in view of the Kwoh and Cragun references.

As to Claim 7, Applicants respectfully reassert the relevant remarks with respect to Claim 1, specifically the fact that the Kwoh and Cragun references are not properly combinable. Accordingly Claim 7 is believed to be allowable in view of the Kwoh and Cragun references.

With respect to Claims 10-12, the Office Action rejects these claims for the reasons given in the scope of Claims 4-6. Applicants respectfully reassert the relevant remarks with respect to Claims 4-6, specifically that the Kwoh reference does not teach any method of scrambling text data, and the device disclosed by Kwoh would not prevent copying because the viewer is not

denied access to the content signal. Accordingly Claims 10-12 are believed to be allowable in view of the Kwoh reference.

Regarding independent Claim 13, the Office Action rejects these claims for the reasons given in the scope of Claim 7. Applicants again respectfully reassert the relevant remarks with respect to Claim 7, specifically the fact that the Kwoh and Cragun references are not properly combinable. Accordingly Claim 13 is believed to be allowable in view of the Kwoh and Cragun references.

With respect to Claims 17-19, the Office Action rejects these claims for the reasons given in the scope of Claims 4-6. Applicants respectfully reassert the relevant remarks with respect to Claims 4-6, specifically that the Kwoh reference does not teach any method of scrambling text data, and the device disclosed by Kwoh would not prevent copying because the viewer is not denied access to the content signal. Accordingly Claims 17-19 are believed to be allowable in view of the Kwoh and Cragun references.

Regarding Claim 20, the Office Action cites Kwoh as disclosing "at least one of a display and a recorder, wherein the display and the recorder are operably coupled to receive the video output". Applicants respectfully reassert the relevant remarks with respect to Claim 13, and also the fact that Claim 20 adds novel subject matter to the invention. Claim 20 is believed to be allowable in view of the Kwoh and Cragun references.

Claims 2-3, 8-9, 14-16 and 21-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kwoh et al. in view of Cragun et al. and U.S. Patent No. 4,605,961 ("Frederiksen").

Frederiksen is directed to a subscriber cable television system with an improved time-warp and segment scrambling method for providing extremely high security. Frederiksen teaches a technique for a secure communications system, such as a cable television system wherein designated subscribers are enabled to receive particular program material and are able to descramble subscriber television signals.

With respect to Claims 2, 8 and 14, the Office Action rejects these claims for the reasons that it would have been obvious to one of ordinary skill in the art at the time the invention was

made to combine the teachings of Kwoh and Cragun with Frederiksen's method of using a separate audio scrambler in scrambling at least a portion of the audio content. Applicants respectfully reassert the relevant remarks made above with respect to Kwoh and Cragun. Therefore, the combination with Frederiksen is also improper. In any event Claims 2, 8 and 14 are believed to be allowable in view of the Kwoh, Cragun, and Frederiksen references.

With respect to Claims 3, 9 and 15, the Office Action cites Frederiksen as disclosing a method of, inter alia, "attenuating the at least a portion of the audio content to produce the scrambled audio content". In view of Claim 1 above, the Kwoh reference does not teach any method of scrambling, and in fact teaches away from this practice. In any event, the scrambling of Frederiksen uses random number-based scrambling, while the Applicants claim a method of scrambling that utilizes attenuation of the input video signal. Accordingly Claims 3, 9 and 15 are believed to be allowable in view of the Kwoh and Frederiksen references.

As to Claim 16, Applicants respectfully reassert the relevant remarks with respect to Claim 15. In any event, the scrambling of Frederiksen uses random number-based scrambling, while the Applicants claim a method of scrambling that utilizes attenuation of the input video signal. Accordingly Claim 16 is believed to be allowable in view of the Frederiksen reference.

As to Claims 21 and 22, Applicants respectfully reassert the relevant remarks with respect to Claims 1, 4-6, and 2-3, specifically the fact that the Kwoh, Cragun, and Frederiksen references are not properly combinable. Accordingly Claims 21 and 22 are believed to be allowable in view of the Kwoh, Cragun, and Frederiksen references.

Attached hereto is a marked-up version of the changes made to the Specification by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made".

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Date: July 8, 2002

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification:

In the "Detailed Description of a Preferred Embodiment" section, on page 5, delete the first full paragraph and substitute therefor the following paragraph:

The tuner 14, which may be a tuner as found in ATI [Technology's]Technologies, Inc.'s All-in-Wonder board, receives the content signal 46 and separates the video content and audio content producing a baseband audio signal 48 and a baseband video signal 50. The audio scramble [model]module 16 re4ceives the baseband audio signal and scrambles the baseband audio signal as indicated by the scramble control signal 52. Similarly, the video scramble module 22 receives the baseband video signal 50 and scrambles it based on the scramble control signal 52.